

SULLIVAN & ASSOCIATES, PLLC

ATTORNEYS AT LAW

601 PENNSYLVANIA AVE NW SUITE 900 WASHINGTON D.C. 20004

PHONE 202-434-8263

PAUL E. SULLIVAN, CA & DC.

August 28, 2015

Federal Election Commission
Office of Complaints Examination
And Legal Administration
Att: Kim Collins, Paralegal
999 E Street NW
Washington, D.C. 20436

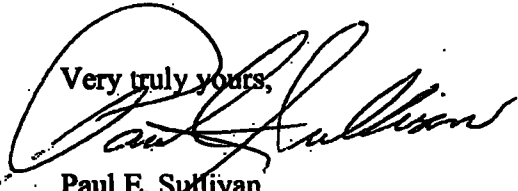
RE: MUR 6947
Response to Complaint

Emailed to kcollins@fec.gov; original by Federal Express

Dear Ms. Collins:

Enclosed please find the response to the above reference matter. Should you have questions regarding this matter, please contact me.

Very truly yours,


Paul E. Sullivan
General Counsel
Carson America, Inc.

OFFICE OF THE
FEDERAL ELECTION COMMISSION

2015 AUG 31 PM 2:03

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

BEFORE THE FEDERAL ELECTION COMMISSION

Carson America, Inc., and) Logan D. Delany, Jr. Treasurer;) <u>Doug Watts and Dr. Benjamin S. Carson, Sr.)</u>	MUR 6947 Response To Complaint
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In accordance with 52 U.S.C. §30109, this response is filed in the above referenced matter on behalf of Carson America, Inc. (CAI), and Logan D. Delany, Jr., as Treasurer, Doug Watts and Dr. Benjamin S. Carson, Sr. (Respondents).

For the reasons set out below, Respondents hereby submit that there is not a factual or legal basis for the alleged violations in the Complaint and therefore, Respondents respectfully request the Federal Election Commission (FEC or Commission) make a finding of no reason to believe a violation occurred and close this matter.

I. Factual Summary

CAI, and Logan D. Delany, Jr., as treasurer, is registered with the Commission as the principal campaign committee of Dr. Benjamin S. Carson, Sr. for his 2016 presidential campaign.

The American Democracy Legal Fund (Complainant) filed a complaint with the Commission on June 30, 2015 (Complaint) alleging that the Respondents violated the Federal Election Campaign Act of 1971, as amended (FECA or Act).

The Complaint generically alleges two potential violations of the FECA when it states:

“However, according to Doug Watts, a Carson campaign spokesman, Dr. Carson has sought to direct his donors to contribute to One Vote PAC, as the ‘unofficially sanctioned’ super PAC of the Carson campaign. In addition, as the preferred super PAC of the Carson campaign, again according to Mr. Watts, Dr. Carson has been inviting his supporters to ‘make their excess contributions’ to One Vote” (Complaint p. 2; footnotes omitted).

The single factual evidence tendered in the Complaint to support these alleged violations is an article in The Washington Post written by Robert Costa (Costa) and Phillip Rucker (Rucker) which was published on June 5, 2015 (Article). A true and complete copy of the Article is attached hereto at Exhibit A.

Though the Article extends for five (5) pages, the entire factual support for the Complaint comes down to a single sentence which states: "Still, Watts said that the 'unofficially sanctioned' super PAC is One Vote and that Carson invites supporters to 'make their excess contributions' to that group." (Article, page 2). But for that single sentence, there are no other relevant facts in the Article upon which the Complaint is able to justify an alleged violation of the FECA.

Doug Watts currently serves as the Communications Director for CAI, and held that same position at all times relevant to the facts as alleged in the Complaint (see Declaration of Doug Watts (Decl.) ¶2; a true and complete copy of which is attached hereto at Exhibit B).

On or about June 3 or 4, 2015, Watts received a telephone call and several follow-up telephone calls from Rucker and Costa, who identified themselves as reporters for The Washington Post. They indicated they wanted to interview Watts about various matters related to CAI and Watts agreed to assist them (Decl. ¶3).

The questions posed by Rucker and Costa covered a broad area of subjects related to CAI. The scope of the questions which relate to this MUR, were of a generic nature centering upon how the operations of independent expenditure only committees (IEOC) are typically conducted in relationship to candidate committees (Decl. ¶4).

References during the interview to Run Ben Run (RBR) and One Vote (OV), both of which are registered as an IEOC with the Commission, were initiated by Rucker and Costa (Decl. ¶8). Subsequent references to either RBR or OV were primarily raised by Rucker, Costa or Watts as examples of how an IEOC operates including its fundraising communications (Decl. ¶¶5, 9 and 10).

The result of the Watts interview with Rucker and Costa was the publication of the Article (Decl. ¶6).

II. Legal Standards for Review of Issues

The Complaint alleges Respondents violated 52 U.S.C. §30125(e). That provision states in relevant parts as follows:

(e) Federal candidates

(1) *In general.* A candidate, individual holding Federal office, agent of a candidate or an individual holding Federal office, or an entity directly or indirectly established, financed, maintained or controlled by or acting on behalf of 1 or more candidates or individuals holding Federal office, shall not ---

(A) solicit, receive, direct, transfer, or spend funds in connection with an election for Federal office, including funds for any Federal election activity, unless the funds are subject to the limitations, prohibitions, and reporting requirements of this Act; or

(B) solicit, receive, direct, transfer, or spend funds in connection with any election other than an election for Federal office or disburse funds in connection with such an election unless the funds---

(i) are not in excess of the amounts permitted with respect to contributions to candidates and political committees under paragraphs (1), (2) and (3) of section 30116(a) of this title; and

(ii) are not from sources prohibited by this Act from making contributions in connection with an election for Federal office.

Therefore, the legal standard to be applied in this matter is one that permits Respondents to solicit or direct funds to an IEOC, such as RBR or OV, provided, the amount of the contributions specifically solicited or directed comply with the respective limits of 52 U.S.C. §30116(a) and do not originate from a source prohibited by the FECA.¹

The Complaint apparently concurs with the application of this standard. "Under Commission rules a federal candidate may only solicit up to \$5,000 per calendar year from federally permissible sources---such as an individual, partnership, or a traditional federal PAC---for a super PAC" (Complaint page 2; footnotes omitted).

The concept of a federal candidate publicly recognizing a particular IEOC as one "sanctioned" or "approved" by the federal candidate to encourage contributors to support that IEOC is not specifically addressed in the Regulations. However, it is rather clear from the Commission's opinion in Advisory Opinion 2011-12 that the public support of a federal candidate for a particular IEOC is not an action which constitutes a violation of the FECA.

In AO 2011-12, the Commission stated as follows:

"Yes, Federal officeholders and candidates, and officers of national party committees, may attend, speak at or be featured guests at fundraisers for the Committees, at which unlimited individual, corporate, and labor organization contributions will be solicited, so long as the officeholders, candidates, and officers of national party committees restrict any solicitations they make to funds subject to the limitations, prohibitions, and reporting requirements of the Act." (AO 2011-12, page 4).

¹ This position has been confirmed by the Commission in Advisory Opinion 2011-12; see summary herein.

The recognition by the Commission that a candidate is authorized to attend, speak or be a "featured guest" of an IEOC, and solicit contributions for the IEOC, leaves little, if any, question that a candidate is authorized to also provide an endorsement or voice support for the efforts of that particular IEOC. One can hardly make a legitimate solicitation for contributions without communicating an endorsement of the IEOC and its activities.

A candidate's support or solicitation for contributions, again subject to the limits and prohibitions of the FECA, is not restricted to an "appearance" at an event of an IEOC. Such support or solicitation of contributions could be made in any type of public communication including websites, direct mail or in a public statement by the candidate or federal office holder.² Therefore, the legal standard of review is not whether a candidate or agent publicly endorses or voices support for a particular IEOC, but only whether such a public statement which indicates support or a solicitation for contributions does so within the limited compliance standards of 52 U.S.C. §30125(e). A mere endorsement or generic statement of support would not constitute a violation of §30125(e), therefore it is not a prohibited statement by the candidate, officeholder or agent thereof.

III. Arguments

A. The Complaint fails to state facts sufficient upon which to proceed with a justified complaint under the standards of the FECA.

The FEC Regulations (Regulations) require that a complaint, "...contain a clear and concise recitation of the facts which describe a violation of the statute or regulations over which the Commission has jurisdiction."³

The Complaint attaches the Article as the only factual support for its contention that the Respondents violated the Act. The facts alleged in the Article dramatically fail to support the accusation.

First, the three page Article discusses in broad terms various aspects of the Carson campaign. The *only* "factual" statement relied upon in the Complaint to support its accusations is a single sentence which reads as follows: "Still, Watts said that the 'unofficially sanctioned' super PAC is One Vote and that Carson invites supporters to 'make their excess contributions' to that group." (Article, page 2). That is it. No additional facts other than that generic statement attributed to Watts, whose statement does not run afoul of the legal standards of review presented above.

² See Beckel, Michael, Senate Majority Leader Harry Reid Solicits Cash for New Democratic Super PAC, Open Secrets.org (June 22, 2011). Available at: <http://www.opensecrets.org/news/2011/06/senate-majority-leader-harry-reid-solicits/>.

³ 11 CFR 111.4(d)(3).

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The statement that any IEOC is "unofficially sanctioned" is not on its face a violation of the FECA. As noted above, AO 2011-12 specifically authorizes candidates to advocate support for an IEOC by public communications such as appearances before the PAC and soliciting contributions for the PAC subject to the limits and prohibitions of the FECA. Therefore, even if Watts had made an unqualified affirmative statement along the lines of "Dr. Carson supports and endorses OV or RBR" it would not be a factual statement upon which a violation could be based. That statement on its own does not give rise to a legal basis for finding a violation of §30125(e). The statement attributed to Watts in the Article does not solicit contributions, let alone contributions in violation of the FECA. Since that is the only set of facts tendered by the Complainant to evidence a violation of §30125(e), and those facts on their face fail to support a claim for a violation, the matter should be dismissed.

B. The Declaration of Watts refutes each of the factual statements of the Article and therefore the factual basis for the Complaint lacks credible evidence to support the allegations.

The Complaint relies literally upon one sentence in the Article which consisted of the interpretation of Rucker and Costa to statements allegedly made by Watts. The statement in the Article is not based upon personal knowledge of Complainant but rather solely upon information and belief of the statements in the Article. In his Declaration, Watts refutes each of the statements attributed to him in the Article upon which the Complaint completely relies.

Watts is an experienced political professional who has been involved in federal elections, including presidential campaigns for over thirty-five years. With that level of federal election experiences he is very familiar with the regulatory scheme of the FECA including independent expenditures. (Decl.¶2). In his Declaration, Watts refutes both alleged facts in the Article upon which the Complaint bases its allegations.

First, Watts states that, "At no time during the interview or subsequent to the interview, did I state to either Costa or Rucker that OV was the 'unofficially sanctioned' 'super PAC' of the Committee." (Decl.¶11). The references to OV were used by Watts, Rucker and Costa as examples during their generic discussion of how an IEOC operates. It was Rucker and Costa who raised the question about OV by way of an example in their discussions of trying to appreciate the legal parameters of how an IEOC operates relative to a candidate committee (Decl.¶¶ 9, 10, & 11).

The Complaint fails to point to any other set of facts, other than this one quotation in the Article to support the contention that Watts or any other CAI agent claimed or considered OV to be the "unofficially sanctioned" IEOC to support CAI.

Second, Watts also specifically refutes the statement in the Article that, "Carson invites supporters to 'make their excess contributions' to RBR or OV. "Similarly, at no time during the interview or subsequent to the interview did I state that, 'Carson invites supporters to 'make their excess contributions' to RBR, OV or any other IEOC'" (Decl. ¶12). The discussion with the two reporters by Watts was again of a generic nature during which he indicated that an IEOC will often times solicit those individuals who have already contributed the maximum contribution to a candidate since it provides them an additional opportunity to support a committee which is supporting the contributor's candidate of choice (Decl. ¶12).

In light of Watts' testimony refuting the only facts tendered in the Complaint to support its allegations, there is no factual basis upon which to support any allegation of an FECA violation.

C. In the event the statements at issue in the Article were accurate quotes, neither statement constitutes the basis for a violation of the FECA.

The Complaint relies on the one sentence in the Article which attributes to Watts the two statements upon which the Complaint relies to allege a violation has occurred. In the event, either or both of the comments attributed to Watts were in fact accurate, (which they are not) neither would constitute a violation of the FECA.

The Complaint alleges that the mere statement that an IEOC, in this case OV, was an approved or "unofficially sanctioned" IEOC of CAI somehow constitutes a violation of the FECA. Such is not the case.

As stated above, 52 U.S.C. §30125(e) specifically authorizes a candidate or a candidate's agent to appear at an event sponsored by an IEOC, speak to the group and solicit contributions for that IEOC provided that the solicitation is not one which request contributions in excess of the FECA limits or from prohibited sources (52 U.S.C. §30125(e)(1)(B)). The mere fact that the candidate or the candidate's agent is permitted to solicit contributions for the IEOC necessarily includes the authority of the candidate to endorse the IEOC, express "support", "approval" or "sanction" of the IEOC's activities. Such expressions are routinely part of a solicitation for contributions to a political committee, whether such statements are expressed or implied.

The FECA sets out no restrictions regarding statements of support or endorsement of the IEOC by a candidate or a candidate's agent who is communicating with the IEOC supporters. In light of the statutory authorization at §30125(e) permitting the candidate to solicit contributions for the IEOC, from a statutory construction perspective, if a restriction on an endorsement or indication of support for the IEOC by the candidate were intended to be prohibited, such a prohibition would be required to be set out in the statute or the FEC Regulations to distinguish it

from the solicitation authorization. Such a restriction does not appear in either the Act or Regulations and therefore, one must conclude it was never intended.

The Commission has also had the opportunity, through the Advisory Opinion process, to opine upon whether it is permissible for a candidate to include an endorsement or statement of support of an IEOC by a candidate when communicating with supporters of the IEOC. In Advisory Opinion 2011-12, the Commission specifically permitted federal candidates and their agents to speak at or be featured guest at fundraisers for an IEOC at which solicitations would be made for unlimited and corporate contributions. The only caveat expressed by the Commission to these types of appearances by candidates at an IEOC event was that the candidate's solicitation of contributions must be limited to those that are within the FECA limits and from permissible sources (AO-2011-12, page 4). The Commission neither expressed any limits, restrictions nor even a concern as to whether the candidate's appearance or speech would prohibit an accompanying endorsement, approval or "sanction" of the IEOC activities. Absent an expressed limitation or restriction in the Regulations or in the relevant Advisory Opinions, the endorsement or approval of support of an IEOC by a candidate is not prohibited.

The second allegation in the Complaint must similarly fail since requesting that contributors "make their excess contributions" to an IEOC is not prohibited on its face. As noted above, 52 U.S.C. §30125(e) specifically authorizes a candidate to solicit contributions for an IEOC albeit a solicitation that only seeks contributions subject to the limits and prohibitions of the FECA. If an individual had made a maximum contribution to a candidate committee, such as CAI, the candidate would specifically be authorized to solicit that same person for a contribution to the IEOC, again subject to the limits and prohibitions of the FECA.

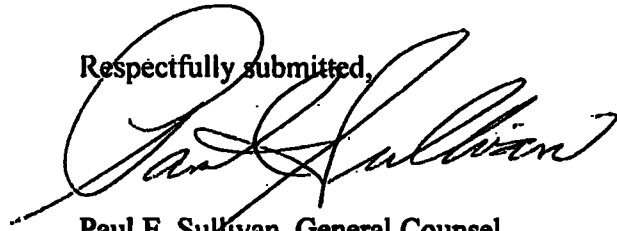
The term "excess contribution" as referenced in the Article is vague and insufficient on its face to constitute a solicitation of contributions which are in excess of the limits or from sources prohibited by the FECA. The phrase "excess contribution" is reasonably interpreted to reference an amount the person has available to contribute over and above the amount contributed to a candidate committee. The amount solicited in that situation is a subjective, not a specific amount. To one individual the "excess" could be \$100 while to another it could be \$5,000. To substantiate a violation, the Complaint must evidence a communication which specifically solicits a specific contribution amount in excess of the FECA limits or from prohibited sources. If that were the situation, then such a solicitation would constitute a violation of the Act regardless of whether the person solicited had previously contributed to the CAI.

Since the term "excess contribution" does specify a specific amount or source prohibited by the FECA, that statement alone fails to constitute a factual basis upon which to establish a prohibited solicitation by a candidate pursuant to 52 U.S.C. §30125(e).

Conclusion

For the reasons set out above, Respondents submit that the Complaint has failed to evidence any facts or legal arguments that Respondents violated any provision of the FECA and for that reason they hereby request the Commission make a finding of no reason to believe and close the file.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul E. Sullivan". The signature is fluid and cursive, with a large initial "P" and "S".

Paul E. Sullivan, General Counsel
Carson America, Inc.

BEFORE THE FEDERAL ELECTION COMMISSION

MUR 6947

Response to Complaint

Exhibit A.

The Washington Post

June 5, 2015 Article

By: Robert Costa and Phillip Rucker

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The Washington Post

Politics

Ben Carson's campaign faces turmoil amid staff exits and super PAC rivalry

By Robert Costa and Phillip Rucker June 5

The presidential candidacy of Ben Carson, a tea party star who has catapulted into the top tier of Republican contenders, has been rocked by turmoil with the departures of four senior campaign officials and widespread disarray among his allied super PACs.

In interviews Friday, Carson's associates described a political network in tumult, saying the retired neurosurgeon's campaign chairman, national finance chairman, deputy campaign manager and general counsel have resigned since Carson formally launched his bid last month in Detroit. They have not been replaced, campaign aides said.

The moves gutted the core of Carson's apparatus and left the 63-year-old first-time candidate with only a handful of experienced advisers at his side as he navigates the fluid, crowded and high-stakes contest for the Republican nomination.

Carson is a hot commodity on the right-wing speaking circuit and has fast become a leading candidate, winning straw votes at conservative gatherings and rising in public polls.

But his campaign has been marked by signs of dysfunction and amateurism, alarming supporters who privately worry that Carson's sprawling circle of boosters is fumbling his opportunity. And, they argue, the candidate has been nonchalant about the unrest.

"Every campaign goes through growing pains as it puts together a leadership team that has to work together and live together through the trying times of a presidential election," said Larry Levy, a lawyer who has worked with Carson.

Two independent super PACs designed to help Carson are instead competing directly with Carson's campaign for donations and volunteers, while campaign chairman Terry Giles resigned last month with the intention of forming a third super PAC.

Giles said he intends to try to persuade the other two super PACs, called Run Ben Run and One Vote, to cease operations so that all outside efforts can be coordinated through the new group. But with Carson's brand a galvanizing force on the right, there are potentially millions of dollars to be raised off his name, and the other super PACs are said to be reluctant to shut down.

"They are going after the same small donors, and we've simply got to figure this out, or else we are going up against each other the whole time," Giles said. "I'm planning to sit down with them and explain that."

Before the exodus, Carson's campaign was mostly controlled by Giles and conservative commentator Armstrong Williams, who for decades has been Carson's business manager and gatekeeper. Giles's exit to the super PAC side, where he will be prohibited from directly coordinating with Carson or his campaign, leaves Williams as the candidate's chief confidant.

"Things happen, man," Williams said of the changes. "That's the way life works. You start out with one idea, hoping it all works out, and then you get a better understanding of what needs to happen. Remember, we're not necessarily a group of political people."

The overlapping super PACs have confused Carson backers about where to give money. Doug Watts, a Carson campaign spokesman, described Run Ben Run as a rogue outfit: "We spend a great deal of time explaining to our supporters, 'They're them; we're us.'"

Watts insisted that "there's no dissatisfaction" with Run Ben Run's activities, and he credited the group with helping Carson win a Republican straw poll last month in Oklahoma City after Carson spoke to the Southern Republican Leadership Conference.

"We had Dr. Carson and two staff people," Watts said. "We did not spend a dime on the straw poll. But Run Ben Run, unbeknownst to us, made organizational activity there."

Still, Watts said that the "unofficially sanctioned" super PAC is One Vote and that Carson invites supporters to "make their excess contributions" to that group.

Initially, Giles planned on joining One Vote, but Watts said he "abandoned that plan prior to his resignation and talked about the anticipation of a new organization."

Watts said that Carson gave Giles his blessing to leave the campaign, noting that Giles sat in the front row at Carson's May 4 announcement event in Detroit and that the candidate publicly acknowledged Giles's service as chairman.

Federal election laws require a 120-day cooling off period between someone's departure from an official campaign and involvement in any super PAC activities.

Leaving with Giles last month were deputy campaign manager Stephen Rubino, a longtime Giles associate, as well as national finance chairman Jeff Reeter and general counsel Kathy Freberg.

Rubino, a part-time lawyer and farmer, longed to return to his estate, Watts said. "He said to me many times personally, 'I'm not sure I'm cut out for this in Washington, D.C.' " As for Freberg, Watts said she grew tired of the political game: "She's now in Africa on a safari."

Giles said that Carson believes a lightly staffed campaign would suffice through this summer and fall. "The Carson campaign, that's now mostly about ballot access, communications, social media, and getting Dr. Carson around the country," he said. "That's about it. It's all part of the plan."

But Kellyanne Conway, a GOP pollster who is friendly with Carson's inner circle, said Carson would need "a strong, in-house campaign team. You can't off-load everything to a super PAC or onto the shoulders of grass-roots supporters and live off the land. Those are the fundamentals."

Giles and Rubino have not been replaced, Watts said, because "it seemed superfluous." Asked whether there were other lawyers advising the Carson operation in Freberg's absence, he said: "Give me a break. Yeah, there are campaign attorneys coming out of my ears."

Barry Bennett, a former strategist for Sen. Rob Portman (R-Ohio), will continue to serve as Carson's campaign manager, largely taking up the duties once delegated to Giles and Rubino. Ed Brookover, a veteran GOP hand, runs the policy shop.

Williams portrayed Carson as a candidate who is still learning the nuances of politics. He said Carson is studying up on issues and is uninterested in campaign mechanics.

On the road, Carson receives hearty receptions, but his acquaintances said he is most content after public events to retreat to a pool table, where he touts the hand-eye coordination that made him a renowned surgeon. He also likes to do brain teasers or play golf.

Advertisement

Carson occasionally drops by his Alexandria campaign headquarters, but his main interaction with staffers is once a week, at 10 a.m. on Sundays, when he participates in a conference call to go over his schedule for the coming week.

"Dr. Carson doesn't get involved in the minutiae," Williams said. "You have to understand his personality. He's informed, but this whole process is new to him, and he's relying on the judgment of others."

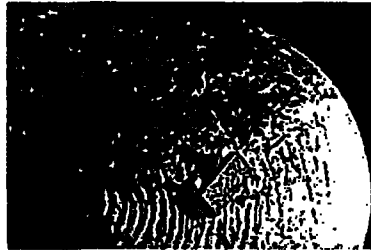
Robert Costa is a national political reporter at The Washington Post.

Philip Rucker is a national political correspondent for The Washington Post, where he has reported since 2005.

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DECLARATION OF DOUG WATTS
BEFORE THE FEDERAL ELECTION COMMISSION

MUR 6947

I, Doug Watts, being of majority age, declare, under penalty of perjury, the following:

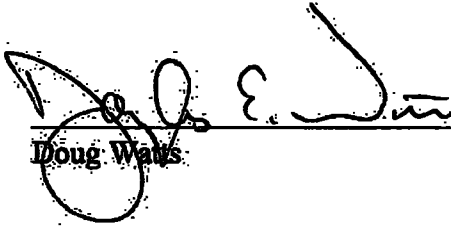
1. I am Doug Watts, the undersigned and am a resident of the State of New York. I have personal knowledge of the facts set out herein.
2. Currently, and at all times related to the facts set out herein, I serve as Director of Communications for Carson America, Inc., the principle campaign committee for Dr. Benjamin S. Carson, Sr. (Committee). I have been professionally involved with candidates for federal office, including presidential campaigns, for over thirty-five (35) years and as a result I am very familiar with provisions of the FECA and specifically the restrictions pertaining to independent expenditures.
3. On or about June 3 or 4, 2015, I received a telephone call and several follow-up calls from Robert Costa (Costa) and Phillip Rucker (Rucker) each of whom identified themselves as reporters from the Washington Post. I recall that I spoke with Costa twice and Rucker once. They inquired as to whether they could interview me regarding various aspects of the Committee's activities and I agreed. My comments were in response to specific questions that they presented to me.
4. Though Rucker and Costa inquired about a number of matters related to the Committee, as to those issues related to this MUR, the scope of their questions primarily focused upon generic questions regarding the operations of independent expenditure only committees (IEOC), which they referred to as "Super PACs".
5. Often times, as a follow-up to their generic questions, Rucker and Costa would reference the Committee in their hypotheticals by way of an example when seeking a more detailed response to a set of hypothetical facts. In those situations, the questions were focused upon what information or communications could lawfully be communicated between the Committee and an IEOC.
6. The product of the interview was an article written by Rucker and Costa and published in the Washington Post on June 5, 2015 a true and complete copy of which is attached hereto at Exhibit A (Article).

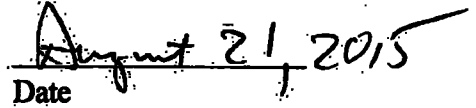
7. The Article states in part, "Still, Watts said that the 'unofficially sanctioned' super PAC (sic) is One Vote and that Carson invites supporters to 'make their excess contributions' to that group." (Article, page 2).
8. Both Rucker and Costa raised questions related to an IEOC entitled "Run Ben Run" (RBR). Their questions pertained to matters related to how RBR operates and its interaction with the Committee. They also sought comments on the alleged internal "chaos" within RBR and its interaction with the Committee. I responded by indicating that I did not know about the internal operations of RBR and that for them to obtain an accurate profile of RBR operations, Rucker and Costa would have to contact those persons operating RBR. I further stated that there was no interaction between RBR and the Committee.
9. Rucker and Costa raised additional questions, referencing both RBR and "One Vote" (OV) another IEOC, as examples in their questions related to the legal parameters of how an IEOC operates independent of a candidate's campaign. In each of those situations, it was Rucker or Costa who raised the reference to RBR or OV.
10. Since they raised the issue of OV as an example, I referenced OV in my response to explain the fact that a benefit of an IEOC is that contributors who have made the maximum contribution to a candidate's campaign, often turn to an IEOC as a means to make contributions to an entity that publicly supports a specific candidate. Again, I went on to explain that an IEOC, such as OV, is lawfully eligible to accept contributions in excess of the FECA candidate committee contribution limits and from some sources otherwise prohibited by the FECA.
11. At no time during the interview or subsequent to the interview, did I state to either Costa or Rucker that OV was the "unofficially sanctioned" "super PAC" of the Committee. During our discussions, the references to OV and RBR were inserted as examples of how an IEOC operates. I did not state there was a "sanctioned" or "approved" IEOC related to the Committee.
12. Similarly, at no time during the interview or subsequent to the interview did I state that that, "Carson invites supporters to 'make their excess contributions'" to RBR, OV or any other IEOC. My only comments related to that issue were that an IEOC often times solicits those persons who have already made the maximum contribution to a candidate to provide them an additional opportunity to make a contribution that will support the candidate of their choice. Once again, my comments were of a generic nature in order to educate Rucker and Costa as to the perceived benefits of an IEOC.

Declaration of Doug Watts

13. Note, that in the Article, the reference to "Carson invites" is not in quotation but only the generic reference to "make their excess contributions to that group." This indicates that the phrase "Carson invites" was not part of a direct quote from me.
14. Except for my specific denials that there was no "sanctioned" IEOC of the Committee, my comments at all times were of a generic nature, albeit, using RBR, OV, and other IEOC's which have supported other candidates, as examples in an attempt to respond to the general questions about the operations of an IEOC.

I declare that, to the best of my knowledge, the foregoing is true and correct.


Doug Watts


Date